

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

DENISE THURMOND,

Plaintiff,

vs.

Case No. 1:19-cv-955

McFarland, J.
Bowman, M.J.

FORD MOTOR COMPANY,

Defendant

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

DENISE THURMOND,

Plaintiff,

vs.

Case No. 1:19-cv-1039

Barrett, J.
Bowman, M.J.

FORD MOTOR COMPANY,

Defendants

ORDER

The first of the two cases listed in the above caption has been referred to the undersigned magistrate judge by U.S. District Judge Mathew McFarland for all purposes. The second, later filed, case listed in the above caption has been referred to the undersigned magistrate judge by U.S. District Judge Michael R. Barrett for all purposes.

This civil action is now before the Court on Defendant's motion to consolidate Case No. 1:19-cv-1039 with Case No. 1:19-cv-955 because both cases call for a determination of the same or substantially identical questions of law or fact. Also before the Court are Plaintiff's motions to add evidence. The motions will be addressed in turn.

A. Motion to Consolidate

Federal Rule of Civil Procedure 42(a) affords the trial court the discretion to consolidate cases involving common questions of law or fact. *Cantrell v. GAF Corp.*, 999 F.2d 1007, 1010–11 (6th Cir.1993); *Mitchell v. Dutton*, Nos. 87–5574, 87–5616, 87–5632, 87–5638, and 87–5647, 1989 WL 933, at *2 (6th Cir. Jan.3, 1989). Rule 42(a) states as follows:

(a) Consolidation. When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

Fed.R.Civ.P. 42(a). "The underlying objective [of consolidation] is to administer the court's business with expedition and economy while providing justice to the parties." *Advey v. Celotex, Corp.*, 962 F.2d 1177, 1181 (6th Cir.1992) (internal quotation marks and citation omitted).

Here, Defendant contends that these matters should be consolidated because the cases are based on the same charge of discrimination and the identical Dismissal and Notice of Rights issued by the Equal Employment Opportunity Commission on August 21, 2019. Thus, judicial economy and the parties would be best served by consolidating the separate cases. The undersigned agrees. Defendant's motion (Doc. 6) is well-taken and herein **GRANTED**. As is the practice of this Court, it is **ORDERED** that case numbers

1:19-cv-1039 and 1:19-cv-955 be consolidated into case number 1:19-cv-955 since that case was the first filed case.

B. Motion to add Evidence.

Plaintiff has filed identical motions to add evidence in both cases. (See 1:19-cv-955, Doc. 9; 1:19-cv-1039, Doc. 9). Plaintiff's motions ask the Court to consider a determination of unemployment benefits from the Ohio Department of Job and Family Services. Plaintiff's requests are premature at this stage of the litigation. Plaintiff may present such evidence, through the filing of dispositive motions. Accordingly, Plaintiff's motions (1:19-cv-955, Doc. 9; 1:19-cv-1039, Doc. 9) are herein **DENIED** as moot.

III. Conclusion

For the foregoing reasons, it is herein **ORDERED** that Defendant's motion to consolidate (Doc. 6 in Case No. 1:19-cv-1039) is **GRANTED**. The Clerk shall consolidate 1:19-cv-1039 and 1:19-cv-955 into case number 1:19-cv-955. It is further **ORDERED** that Plaintiff's motions to add evidence (Doc. 9 in Case No. 1:19-cv-1039 and Doc. 9 in case No. 1:19-cv-955) are herein **DENIED** as **MOOT**.

IT IS SO ORDERED.

s/Stephanie K. Bowman
Stephanie K. Bowman
United States Magistrate Judge